

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	2:05-mj-089-B
)	
SANDRA G. DIXON)	

ORDER OF REVOCATION AND DETENTION

After due consideration of the testimony and arguments presented at the scheduled hearing on the **petition for revocation of the defendant's pretrial release supervision**, the court finds, pursuant to 18 U.S.C. § 3148(b)(1)(B), that there is clear and convincing evidence that the defendant – by her admitted drug use on August 16 and August 24 – has violated *condition 7p* of the release conditions set for her on August 8, 2005. U.S. Probation Officer Kevin Poole provided uncontradicted testimony of her violations as asserted in the petition and as supplemented by her admission when arrested.

The court further finds that, pursuant to 18 U.S.C. § 3148(b)(1)(B)(2), based on the factors set forth in 18 U.S.C. 3142(g), there is no condition or combination of conditions of release that will assure that the defendant does not pose a danger to the safety of any other person or the community. Defendant presented testimony from her husband of ten years, William Dixon, who emphasized the hardships being experienced by the defendant's three grandchildren, of whom she has custody, arising from her continued detention. Testimony from the probation officer who visited the defendant's home at the time of her arrest on August 25, 2005, confirmed, however, the initial pretrial investigative report of other adult relatives – including their mother – who are supervising these children. In light of the defendant's history of drug abuse and addiction, for which she was in long-term methadone treatment prior to her arrest for the charges underlying this case – and her

continued use of cocaine since being released on August 8, 2005, the court cannot concur with the implicit suggestion that her custodial supervision for these minors is either necessary or in the children's best interests; indeed, the likelihood of harm to the children is enhanced.

Accordingly, it is, for good cause,

ORDERED that the pretrial ORDER of release entered for the Defendant on August 8, 2005 (Docs. 10 and 11) is hereby REVOKED, and for further good cause, the Defendant is REMANDED to the custody of the United States Marshal for detention pending further proceedings.

DONE this 30th day of August, 2005.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE